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TAGS: [PREL](#) [TH](#)  
SUBJECT: VIEWS ON ASEAN CHARTER, US-ASEAN RELATIONS, TAC

REF: A. MANILA 748  
[1](#)B. MANILA 499

Classified By: Political Counselor Susan M. Sutton, reason 1.4 (b) and (d).

[1](#)1. (C) SUMMARY: On the margins of other discussions, a couple of post interlocutors have briefly raised issues connected to the ASEAN charter drafting and US-ASEAN relations. On the charter, civil society is trying to play a role, and Burma is not (yet) blocking some controversial provisions, but it is hard to imagine that the charter will contain effective mechanisms for addressing human rights problems in member states. On US-ASEAN relations, our interlocutors say, signing the TAC would have a very high symbolic value, and lack of ratification by the Senate, if handled carefully, might not be an insurmountable obstacle.  
End Summary

#### ASEAN CHARTER

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[1](#)2. (C) An MFA official in the East Asian Affairs division noted with surprise that the Burmese had not yet actively worked to derail some elements proposed for the ASEAN Charter, including a provision that might allow the expulsion of members. He theorized that the Burmese might be biding their time, and planning to oppose such language later in the process. He agreed that that Burma might be seeking to work with Laos, Cambodia and Vietnam to keep controversial provisions out of the Charter, but noted that Cambodia had shown no evidence of favoring cooperation with Burma along these lines. Quite the opposite -- Cambodia had joined with Thailand in pressuring Burma to "do something" to help ASEAN argue against further sanctions by the international community.

[1](#)3. (C) We also spoke to a journalist and representative of the Southeast Asian Press Alliance who had been at the ASEAN Civil Society Organizations forum in Manila last month. He complained that it would be very difficult to get a good charter for ASEAN now; Thailand had previously taken a stand on promoting human rights within ASEAN, but former PM Thaksin had eroded that position, and sentiment overall in ASEAN had swung back toward "non-interference." However, he gave current PM Surayud some credit, saying that he had instructed the foreign minister to argue for a human rights mechanism in the new charter. The NGO consultations in Manila last month were supposed to contribute to that goal, but they had been hastily arranged and many countries could not send a strong and well-prepared delegation.

WHY NOT THE TAC?

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14. (C) Following up on reftels, we asked each of these contacts about the issue of the Treaty of Amity and Cooperation (TAC). Did it still matter much, after all these years, that the US had not signed the TAC? Both agreed that the TAC had great symbolic value, and that the US signature could have a real impact. We raised the obstacle that the Senate was unlikely to ratify the treaty. The journalist responded, "Who cares?" He said that would not be issue -- the symbol of the signing would be the main thing. The MFA contact was more cautious. He said that it would certainly be unfortunate if the Senate voted the treaty down, and better if the Senate would ratify. However, he also indicated that a middle ground -- the Senate studying the issue for a protracted period, for example -- might be acceptable.

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